

## **IC 4-32-6**

### **Chapter 6. Definitions**

#### **IC 4-32-6-1**

##### **Application of chapter**

Sec. 1. The definitions in this chapter apply throughout this article.  
*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-2**

##### **"Allowable event"**

Sec. 2. "Allowable event" means:

- (1) a bingo event;
- (2) a charity game night;
- (3) a raffle;
- (4) a door prize drawing;
- (5) a festival; or
- (6) a sale of pull tabs, punchboards, or tip boards;

conducted by a qualified organization in accordance with this article and rules adopted by the department under this article.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-3**

##### **"Bingo"**

Sec. 3. "Bingo" means a game conducted in the following manner:

- (1) Each participant receives at least one (1) card, board, pad, or piece of paper marked off into twenty-five (25) squares that are arranged in five (5) vertical rows of five (5) squares each, with each row designated by a single letter, and each box containing a single numeral, from one (1) to seventy-five (75), except the center box, which is always marked with the word "free".
- (2) As the caller of the game announces a letter and number combination, each player covers the square corresponding to the announced number, letter, or combination of numbers and letters.
- (3) The winner of each game is the player who is the first to properly cover a predetermined and announced pattern of squares upon the card used by the player.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-4**

##### **"Bingo event"**

Sec. 4. "Bingo event" means an event at which bingo is conducted by an organization that holds a bingo license or a special bingo license issued under this article.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-5**

##### **"Bona fide civic organization"**

Sec. 5. "Bona fide civic organization" means a branch, lodge, or chapter of a national or state organization that is not for pecuniary profit or a local organization that is not for pecuniary profit and not

affiliated with a state or national organization whose written constitution, charter, articles of incorporation, or bylaws provide the following:

- (1) That the organization is organized primarily for civic, fraternal, or charitable purposes.
- (2) That upon dissolution of the organization all remaining assets of the organization revert to nonprofit civic or charitable purposes.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-6**

##### **"Bona fide educational organization"**

Sec. 6. "Bona fide educational organization" means an organization that is not for pecuniary profit and that meets the following criteria:

- (1) The organization's primary purpose is educational in nature.
- (2) The organization's constitution, chapter, articles, or bylaws contain a clause that provides that upon dissolution all remaining assets shall be used for nonprofit educational purposes.
- (3) The organization is designed to develop the capabilities of individuals by instruction in a public or private:
  - (A) elementary or secondary school; or
  - (B) college or university.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-7**

##### **"Bona fide political organization"**

Sec. 7. (a) "Bona fide political organization" means a party committee, association, fund, or other organization, whether incorporated or not, organized and operated primarily for the purpose of directly or indirectly accepting contributions or making expenditures, or both, for an exempt function (as defined in Section 527 of the Internal Revenue Code).

(b) The term does not include a candidate's committee (as defined in IC 3-5-2-7).

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-8**

##### **"Bona fide religious organization"**

Sec. 8. "Bona fide religious organization" means an organization, a church, a body of communicants, or a group:

- (1) organized primarily for religious purposes and not for pecuniary profit that provides to the department written confirmation that the entity is operating under Section 501 of the Internal Revenue Code or under the Section 501 nonprofit status of the entity's parent organization; and
- (2) whose constitution, charter, articles, or bylaws contain a clause that provides that upon dissolution all remaining assets shall be used for nonprofit religious purposes or shall revert to the parent organization for nonprofit religious purposes.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-9**

##### **"Bona fide senior citizens organization"**

Sec. 9. "Bona fide senior citizens organization" means an organization that is not for pecuniary profit and that:

- (1) consists of at least fifteen (15) members who are at least sixty (60) years of age;
- (2) is organized by the organization's constitution, charter, articles, or bylaws for the mutual support and advancement of the causes of elderly or retired persons; and
- (3) provides in the organization's constitution, charter, articles, or bylaws that upon dissolution all remaining assets of the organization shall be used for nonprofit purposes that will support or advance the causes of elderly or retired persons.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-10**

##### **"Bona fide veterans organization"**

Sec. 10. "Bona fide veterans organization" means a local organization or a branch, lodge, or chapter of a state or national organization chartered by the Congress of the United States that is not for pecuniary profit and that:

- (1) consists of individuals who are or were members of the armed forces of the United States;
- (2) is organized for the mutual support and advancement of the organization's membership and patriotic causes; and
- (3) provides in the organization's constitution, charter, articles, or bylaws that upon dissolution all remaining assets of the organization shall be used for nonprofit purposes that will support or advance patriotic causes.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-11**

##### **"Charity game night"**

Sec. 11. (a) "Charity game night" means an event at which wagers are placed upon the following permitted games of chance through the use of imitation money:

- (1) A card game.
- (2) A dice game.
- (3) A roulette wheel.
- (4) A spindle.

(b) The term does not include an event at which wagers are placed upon any of the following:

- (1) Bookmaking.
- (2) A slot machine.
- (3) A one-ball machine or a variant of a one-ball machine.
- (4) A pinball machine that awards anything other than an immediate and unrecorded right of replay.
- (5) A policy or numbers game.
- (6) A banking or percentage game played with cards or counters, including the acceptance of a fixed share of the stakes in a game.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-12**

##### **"Commissioner"**

Sec. 12. "Commissioner" refers to the commissioner of the department of state revenue.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-13**

##### **"Department"**

Sec. 13. "Department" refers to the department of state revenue established by IC 6-8.1-2-1.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-14**

##### **"Door prize"**

Sec. 14. "Door prize" means a prize awarded to a person based solely upon the person's attendance at an event or the purchase of a ticket to attend an event.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-15**

##### **"Door prize drawing"**

Sec. 15. "Door prize drawing" means a drawing to award a door prize.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-16**

##### **"Door prize event"**

Sec. 16. "Door prize event" means an event at which at least one (1) door prize drawing is conducted by an organization that holds a door prize drawing license issued under this article.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-17**

##### **"Operator"**

Sec. 17. "Operator" means an individual who is responsible for conducting an allowable event for a qualified organization under this article in accordance with Indiana law.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-18**

##### **"Pull tab"**

Sec. 18. "Pull tab" means a game conducted in the following manner:

- (1) A single folded or banded ticket or a two-ply card with perforated break-open tabs is bought by a player from a qualified organization.
- (2) The face of each card is initially covered or otherwise hidden from view, concealing a number, letter, symbol, or set of letters or symbols.
- (3) In each set of tickets or cards, a designated number of tickets

- or cards have been randomly designated in advance as winners.
- (4) Winners, or potential winners if the game includes the use of a seal, are determined by revealing the faces of the tickets or cards. The player may be required to sign the player's name on numbered lines provided if a seal is used.
- (5) The player with a winning pull tab ticket or numbered line receives the prize stated on the flare from the qualified organization. The prize must be fully and clearly described on the flare.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-19** **"Punchboard"**

Sec. 19. "Punchboard" means a card or board that contains a grid or section that hides the random opportunity to win a prize based on the results of punching a single section to reveal a symbol or prize amount.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-20** **"Qualified organization"**

Sec. 20. (a) "Qualified organization" means:

- (1) a bona fide religious, educational, senior citizens, veterans, or civic organization operating in Indiana that:
  - (A) operates without profit to the organization's members;
  - (B) is exempt from taxation under Section 501 of the Internal Revenue Code; and
  - (C) has been continuously in existence in Indiana for at least five (5) years or is affiliated with a parent organization that has been in existence in Indiana for at least five (5) years; or
- (2) a bona fide political organization operating in Indiana that produces exempt function income (as defined in Section 527 of the Internal Revenue Code).

(b) For the purpose of IC 4-32-9-3, a "qualified organization" includes the following:

- (1) A hospital licensed under IC 16-21.
- (2) A health facility licensed under IC 16-28.
- (3) A psychiatric facility licensed under IC 12-25.
- (4) An organization defined in subsection (a).

*As added by P.L.24-1992, SEC.47. Amended by P.L.2-1993, SEC.38; P.L.18-1994, SEC.1; P.L.27-1996, SEC.1.*

#### **IC 4-32-6-21** **"Raffle"**

Sec. 21. "Raffle" means the selling of tickets or chances to win a prize awarded through a random drawing.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-22** **"Raffle event"**

Sec. 22. "Raffle event" means an event at which at least one (1) raffle is conducted by an organization that holds a raffle license issued

under this article.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-23**

##### **"Tip board"**

Sec. 23. "Tip board" means a board, a placard, or other device that is marked off in a grid or columns, with each section containing a hidden number or numbers or other symbols that determine a winner.

*As added by P.L.24-1992, SEC.47.*

#### **IC 4-32-6-24**

##### **"Worker"**

Sec. 24. "Worker" means an individual who helps or participates in any manner in preparing for, conducting, assisting in conducting, cleaning up after, or taking any other action in connection with an allowable event under this article.

*As added by P.L.24-1992, SEC.47. Amended by P.L.27-1996, SEC.2.*